



Docket No.: C01104/70074

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kevin J. Dowling et al.
Serial No: 09/917,246
Confirmation No.: 8927
Filed: July 27, 2001
For: SYSTEMS AND METHODS FOR COLOR CHANGING
DEVICE AND ENCLOSURE
Examiner: Haissa Philogene
Art Unit: 2821

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop: Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 08 day of July, 2004.

Walter D. Bianuzzo.

Mail Stop: Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- ☒ Issue Fee Transmittal – Part B
- ☒ Response to Notice of Allowance
- ☒ Copy of Information Disclosure Statement and associated papers dated May 17, 2004
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 395-7000.

A check for \$1660.00 is enclosed. If the fee required differs from the amount enclosed, the Commissioner is hereby authorized to charge any underpayment to or refund any overpayment to Deposit Account No. 50/2762.

Respectfully submitted,
Kevin J. Dowling et al., Applicants

By: Joseph Teja, Jr.
Joseph Teja, Jr., Reg. No. 45,157
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Date: July 16, 2004



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Uri A. Biancuzzo

Mail Stop: Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF ALLOWANCE

Sir/Madam:

In the Notice of Allowance mailed May 21, 2004, in the above-identified application, claims 1-5, 8-10, 14-21, 23, 25-27, 29-55, 57-59, 61-93, 95-107, now numbered 1-96, are allowed.

The Notice of Allowance includes an Examiner's Statement for Reasons of Allowance set forth on page 2 of the Notice of Allowability. While Applicants agree that the prior art does not disclose limitations indicated in the Examiner's Statement for Reasons of Allowance, Applicants respectfully note that specific limitations indicated by the Examiner do not necessarily correspond verbatim to the features recited in each of the independent claims. In particular, each of the independent claims distinguishes over the prior art based on the particular limitations recited in the claim, and is patentable on its own merits (in some cases, perhaps, for reasons other than those indicated in the Examiner's Statement for Reasons of Allowance).

Also, Applicants note that they have not yet received a copy of a Form-1449, initialed by the Examiner to indicate consideration of each reference thereon, which accompanied an Information Disclosure Statement dated May 17, 2004 (the first and only cited reference on the Form-1449 is to Slayden, U.S. Patent No. 6,361,186). A copy of this IDS and Form-1449, together with a stamped post card indicating receipt by the PTO, is attached here for the Examiner's reference. Applicants wish to ensure that this IDS has indeed been considered by the Examiner, and have left multiple telephone messages with the Examiner to this effect. Applicants' representatives respectfully encourage the Examiner to forward the initialed Form-1449 in question at the Examiner's earliest convenience so that Applicants have a copy thereof for their records.

If there are any questions concerning the foregoing, the Examiner is urged to contact the undersigned at the number listed below.

Respectfully submitted,

Kevin J. Dowling et al., Applicants

By: 

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Date: July 6, 2004